

**Jane Joyce Rice
9 Pleasant Valley Lane
Sheridan, Wyoming**

**UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

**FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
MAY 17 2007**

**Stephan Harris, Clerk
Cheyenne**

United States of America,

Plaintiff,

v.

**Jane Joyce Rice; Water Garden, Inc.;
Perpetual Legacy Corp.; Carte Blanche
Trust; & Newport Pacific Trust Co, Ltd;**

Defendants,

Civil No. 07CV019-B

**NOTICE OF FOREIGN LAW
SUPPLEMENTAL**

**State of Wyoming)
) ss
County of Sheridan)**

I, Jane Joyce Rice, make this special appearance to supplement my notice of foreign law by providing this notice of the law of the State of Wyoming, FRCP Rule 44.1.

1. Wyoming is a sovereign state of the United States of America on an equal footing with the original states in all respects whatever. Act of Admission, September 30, 1889, 26 Stat. 222

2. By legislative declaration codified at Wyoming Statute § 36-12-101(i) Wyoming has determined that the intent of the framers of the constitution of the United States was to guarantee to Wyoming sovereignty over all matters within its boundaries

except for those powers specifically granted to the United States as an agent of Wyoming. See Article X of the Constitution for the United States.

3. Wyoming has codified the authority of the United States to acquire state lands under Wyoming Statute § 36-10-101, to wit:

- a. "The United States shall be and is authorized to acquire by purchase or condemnation or otherwise, any land in this state required for public buildings, custom houses, arsenals, national cemeteries, or other purposes essential to the national defense in necessary use of said land by armed naval, air or land forces, or land to be physically occupied by the Boysen Dam, its reservoir, power plant and distribution systems, or lands to be physically occupied by dams, reservoirs, power plants and distribution systems in United States reclamation service projects, and the state of Wyoming hereby consents thereto, provided that the mineral content of lands so acquired, if owners thereof so elect, shall be reserved to such owners." Laws 1897, ch. 17, § 1; R.S. 1899, § 2657; C.S. 1910, § 697; C.S. 1920, § 810; R.S. 1931, § 118-101; Laws 1941, ch. 97, § 1; C.S. 1945, § 24-801; W.S. 1957, § 36-207.

4. Wyoming has codified the means by which jurisdiction over property acquired by the United States is to be ceded under Wyoming Statute § 36-10-102, to wit:

- a. "The jurisdiction of the state of Wyoming in and over any land so acquired by the United States shall be, and the same is hereby ceded to the United States, but the jurisdiction so ceded shall continue no longer than the said United States shall own the said land." (Laws 1897, ch. 17, § 2; R.S. 1899, § 2658; C.S. 1910, § 698; C.S. 1920, § 811; R.S. 1931, § 118-102; C.S. 1945, § 24-802; W.S. 1957, § 36-208.)

5. Wyoming Statute § 36-10-104 provides that jurisdiction shall not vest in the United States until such title has been acquired by the United States, to wit:

- a. "The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said lands by purchase or condemnation or otherwise, and so long as the said land shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of this state."

6. Wyoming Statute § 19-7-301(a)-(e) provides that jurisdiction over certain military reservations within the State of Wyoming is ceded to the United States:

- a. "Exclusive jurisdiction is ceded to the United States over all the territory owned by the United States within the limits of the United States military reservations known as Fort Francis E. Warren, Fort Washakie, Camp Sheridan, Camp Pilot Butte, and the United States powder depot at Cheyenne, together with such other lands in the state as are now or hereafter acquired or held by the United States for military purposes, either as additions to the posts above named or as new military posts or reservations, established for the common defense.
- b. "There is hereby ceded to the United States of America the following described lands belonging to the state of Wyoming, to-wit: The west half ($W\frac{1}{2}$) of section sixteen (16) and the east half of the northeast quarter ($E\frac{1}{2}NE\frac{1}{4}$), and the northeast quarter of the southeast quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of section seventeen (17), in township fifty-six (56) north of range eighty-four (84) west of the sixth principal meridian in the county of Sheridan, and state of Wyoming, the same to be used for public military purposes by the United States of America.
- c. "There is hereby ceded to the United States of America the following described lands belonging to the state of Wyoming, to-wit: The east half ($E\frac{1}{2}$) of section sixteen (16) in township fifty-six (56) north of range eighty-four (84) west of the sixth principal meridian in the county of Sheridan and state of Wyoming, the same to be used for public military purposes by the United States of America.
- d. "There is hereby ceded to the United States of America the following described lands belonging to the state of Wyoming, and situated in Sheridan county, to-wit: Commencing at a point four hundred twenty-eight (428) feet south of the one-half ($\frac{1}{2}$) section corner between sections ten (10) and fifteen (15) in township fifty-three (53) north of range eighty-three (83) west of sixth p.m.; thence east three hundred and thirty (330) feet; thence south one hundred (100) feet; thence west three hundred and thirty (330) feet; thence north one hundred (100) feet to the place of beginning; containing three-fourths ($\frac{3}{4}$) of one (1) acre, more or less; the same to be used as a site for the erection of a monument to the memory of the soldiers who fought in the Fort Phil Kearney massacre.
- e. "There is hereby ceded to the United States of America the following described lands belonging to the state of Wyoming, to-wit: The northeast quarter ($NE\frac{1}{4}$) and northwest quarter southeast quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of section eighteen (18) in township of fifty-six (56) north, of range eighty-four (84) west of the sixth principal meridian, in the county of Sheridan and state of Wyoming, the same to be used for public military purposes by the United States of America."

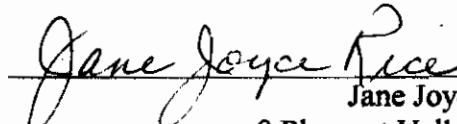
7. Wyoming statute § 19-7-301(f) provides that exclusive jurisdiction is ceded to the United States of America over and within the territory described by this section, saving, however, to the State of Wyoming:

- i. **“(i) The right to serve civil and criminal process within the territory in suits or prosecutions for, or on account of rights acquired, obligations incurred, or crimes committed in this state, but outside of the cession;**
- ii. **“(ii) The right to tax persons and corporations, their franchises and property in the territory herein ceded pursuant to subsections (a), (b), (c) and (e) of this section; (iii) All rights appertaining to any irrigation ditch or ditches crossing the lands ceded pursuant to subsections (c) and (e) of this section.**

8. The Wyoming Legislature has not ceded jurisdiction over the property, which is the subject matter of concern in the complaint in this action, to the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is a true and correct presentation of the law of Wyoming.

Executed on May 15, 2007


Jane Joyce Rice
9 Pleasant Valley Lane
Sheridan, Wyoming 82801

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9 Pleasant Valley Lane
Sheridan, Wyoming**

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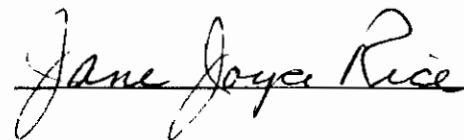
Defendants,

CERTIFICATE OF SERVICE

Civil No. 07CV019-B

I HEREBY CERTIFY that on May 15, 2007, a copy of this NOTICE OF FOREIGN
LAW was deposited in the United States Mail addressed to:

Nicholas Vassallo
Assistant United States Attorney
P.O. Box 668
Cheyenne Wyoming, 82003

A handwritten signature in cursive script that reads "Jane Joyce Rice". The signature is written in black ink and is positioned above a horizontal line.